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Promotion and protection of the rights of children

Status of the Convention on the Rights of the Child

Report of the Secretary-General

Summary

The General Assembly, by its resolution 44/25, adopted the Convention on the Rights of the Child. The Convention was opened for signature in New York on 26 January 1990 and entered into force on 2 September 1990, the thirtieth day after the deposit with the Secretary-General of the twentieth instrument of ratification or accession. As at 1 July 2009, the Convention had been ratified or acceded to by 193 States.

By its resolution 54/263, the General Assembly adopted two Optional Protocols to the Convention. As at 1 July 2009, the Optional Protocol on the involvement of children in armed conflict, which entered into force on 12 February 2002, had been ratified by 128 States and the Optional Protocol on the sale of children, child prostitution and child pornography, which entered into force on 18 January 2002, had been ratified by 131 States.

Pursuant to resolution 63/241, international efforts and national progress in tackling child labour and efforts to eliminate the worst forms of child labour by 2016 are outlined in section IV of the present report, highlighting the important role of education in this regard.

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I. Introduction

1. In its resolution 63/241, the General Assembly requested the Secretary-General to submit to it at its sixty-fourth session a report containing information on the status of the Convention on the Rights of the Child, with a focus on international efforts and national progress in tackling child labour and progress towards meeting the target of eliminating the worst forms of child labour by 2016. The present report is submitted in accordance with that request.

II. Status of the Convention on the Rights of the Child

2. As at 1 July 2009, the Convention on the Rights of the Child[1] had been ratified or acceded to by 193 States and two States had signed the Convention.[2]

3. As at 1 July 2009, the Optional Protocol on the involvement of children in armed conflict had been ratified by 128 States, and the Optional Protocol on the sale of children, child prostitution and child pornography had been ratified by 131 States.[2]

III. Implementation of the Convention on the Rights of the Child

4. During the reporting period, the Committee on the Rights of the Child held its forty-ninth to fifty-first sessions at the United Nations Office at Geneva, from 15 September to 3 October 2008, from 12 to 30 January 2009 and from 22 May to 12 June 2009, respectively.

5. The Chairperson of the Committee will present her oral report to the General Assembly at its sixty-fourth session, addressing major issues related to the work of the Committee which have occurred during the past year. The Chairperson will also provide information on the reduction of the backlog during 2010, when the Committee will be meeting in two parallel chambers pursuant to resolution 63/244.

6. In conformity with rule 75 of its provisional rules of procedure, the Committee on the Rights of the Child has decided to devote time, during its 53rd pre-sessional working group meeting, to the commemoration of the twentieth anniversary of the adoption of the Convention on the Rights of the Child by the General Assembly. The event, which will take place on 8 and 9 October 2009 in Geneva, is entitled "Dignity, Development and Dialogue ... More to be done". States have been invited to join this important commemoration.

[1] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[2] For the list of States that have signed, ratified or acceded to the Convention and Optional Protocols, as well as the dates of their signature, ratification or accession, see www.ohchr.org.

IV. International efforts and national progress in tackling child labour

Ninety years of international action against child labour

7. Across the world, over 200 million children are engaged in work that violates international standards on child labour. It is work that is unacceptable because the children involved are too young and should be in school, or because even though they have attained the minimum age for admission to employment, the work that they do is unsuitable for a person below the age of 18. Many children are victims of the worst forms of child labour, such as bonded labour, slavery or practices similar to slavery, production and trafficking of drugs or other work which is likely to harm their health, safety or morals. Child labour, while a serious human rights violation in itself, often entails the erosion of other children's rights. It further impedes the achievement of basic education for all, perpetuating poverty, and undermines development.

8. Action against child labour has been a priority for the international community for close to a century. Already at the first conference of the International Labour Organization (ILO), its member States adopted the Minimum Age (Industry) Convention, 1919 (No. 5), which was followed over the years by a number of further sectoral minimum age Conventions.[3] On 26 June 1973, the International Labour Conference adopted the Minimum Age Convention No. 138, consolidating and replacing all these instruments and providing one general minimum age standard for all sectors of economic activity. With 154 ratifications at 1 July 2009, more than 80 per cent of the ILO member States, Convention No. 138 provides the basic framework for both legislative and policy measures to combat child labour.

9. The landmark adoption in 1989 of the Convention on the Rights of the Child confirmed the relevance of Convention No. 138. Article 32 of the United Nations Convention, which provides for the child's right to be protected from economic exploitation, requires, in paragraph 2, that States Parties should have regard to "the relevant provisions of other international instruments" when setting rules governing the minimum age and conditions of employment of young persons. Any work carried out by children in conditions below those established by the United Nations Convention or by ILO standards should be considered as economic exploitation. This has indeed been the position of the Committee on the Rights of the Child in examining periodic reports from States Parties.

10. The magnitude of the problem of child labour, as well as the fact that a very high number of children are trapped in the worst forms of child labour, gave rise to the realization that a new international standard was required to prioritize action

[3] Minimum Age (Industry) Convention, 1919 (No. 5), the Minimum Age (Sea) Convention, 1920 (No. 7), the Minimum Age (Agriculture) Convention, 1921 (No. 10), the Minimum Age (Trimmers and Stokers) Convention, 1921 (No. 15), the Minimum Age (Non-Industrial Employment) Convention, 1932 (No. 33), the Minimum Age (Sea) Convention (Revised), 1936 (No. 58), the Minimum Age (Industry) Convention (Revised), 1937 (No. 59), the Minimum Age (Non-Industrial Employment) Convention (Revised), 1937 (No. 60), the Minimum Age (Fishermen) Convention, 1959 (No. 112), and the Minimum Age (Underground Work) Convention, 1965 (No. 123). Conventions Nos. 5, 7, 10 and 15 were closed to further ratification. All of the above conventions remain in force for a limited number of countries.

against these worst forms, while at the same time ensuring that the total elimination of all forms of child labour remains the overall objective. In 1999, ILO member States unanimously adopted the Worst Forms of Child Labour Convention No. 182. Article 1 of this Convention requires countries to "take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency". The Convention entered into force on 19 November 2000 and has been ratified by 171 member States as at 1 July 2009.

11. The impact of the international legal framework, further strengthened by the two Optional Protocols to the Convention on the Rights of the Child,[4] can be observed in all aspects of the struggle against child labour, ranging from legislation, policy frameworks and practical measures to reduce child labour, to data collection and changing public attitudes. A wide programme of technical cooperation exists, involving most prominently the ILO, the United Nations Children's Fund (UNICEF) as well as the World Bank. A worldwide movement of actors against child labour, bringing together international agencies, States, non-governmental organizations, employers and trade unions, community-based organizations, parents and children has started to form in the last decade, providing a much-needed basis for action at the national level. Much of the knowledge about what fighting child labour entails has been accumulated through the ILO's International Programme on the Elimination of Child Labour (IPEC), which was created in 1992 with support from various member States and currently operates in 88 countries.

The existing international legal framework and its relevance to the elimination of child labour

12. The recognition of child labour as a global phenomenon for elimination has been reflected in a wide range of international instruments, closely linked and complementing each other, but belonging to several different bodies of international law. While the frameworks of international labour standards and international human rights law are addressed in more detail in this report, relevant instruments can be found also in international humanitarian law, international criminal law, as well as a number of United Nations and regional conventions addressing a wide range of issues, from slavery to the status of stateless persons.

State obligations under the ILO conventions

13. There are forms of work that children — boys and girls below the age of 18 — can legitimately do, and such work may even be beneficial to children in preparing them for a productive life as adults. Thus, not all work done by children is considered as "child labour" which should be targeted for elimination. Child labour concerns work for which the child is either too young — work done below the required minimum age — or work which, because of its detrimental nature or conditions, is altogether considered unacceptable for children and is prohibited. ILO conventions therefore specify a system of minimum age levels for admission to work or employment, and also identify a number of activities and situations to which no child should be subjected.

[4] United Nations, *Treaty Series*, vols. 2171 and 2173, No. 27531.

14. The Minimum Age Convention No. 138, supplemented by Recommendation No. 146, sets forth in article 1 that ratifying States are to pursue a national policy to ensure the effective abolition of child labour, and to raise progressively the minimum age for employment or work. The framework regarding the minimum age is as follows:

Convention 138	*General*	*For developing countries ("where economic and education facilities are insufficiently developed")*
General minimum age (article 2)	Not less than the end of compulsory schooling, and in any case not less than 15 years	14 years (initially)
Light work (article 7)	13 years	12 years
Work likely to jeopardize the health, safety or morals of young persons (article 3)	18 years (16 years under strict conditions)	18 years (16 years under strict conditions)

15. The Convention recognizes that the fixing of a minimum age(s) is by itself not sufficient and additionally requires the regulation of the conditions and number of hours of work for children over the minimum age, as well as the provision of appropriate penalties, and the keeping by employers of registers with information about workers under 18 years of age in the workplace. As noted above, the Convention also requires the pursuit of "a national policy".[6] Convention No. 138 covers all sectors of economic activity and employment, as well as work outside a formal employment relationship, such as self-employment.[7] Work carried out within the framework of education and vocational training is under certain conditions excluded from the application of the Convention. Work done for artistic performances may, by permits granted in individual cases, even be allowed below the minimum age prescribed by the Convention.

16. The Worst Forms of Child Labour Convention No. 182, accompanied by Recommendation No. 190, reflects a global consensus that immediate and effective measures should be taken to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency (article 1). Convention No. 182 covers all girls and boys under the age of 18[8] in line with the definition of the child under

[5] The flexibility foreseen for developing countries regarding the level of the minimum age is optional and needs to be used at the time of ratification (article 2(4) of the Convention).

[6] The Minimum Age Recommendation No. 146 (supplementing Convention No. 138) suggests that policy measures may include: adequate facilities for education and vocational orientation and training; promotion of employment-oriented development in rural and urban areas; extension of economic and social measures to alleviate poverty, and also to ensure family living standards and income which are such as to make it unnecessary to have recourse to the economic activity of children; social security and family welfare measures aimed at ensuring child maintenance; and facilities for the protection and welfare of children and young persons.

[7] Because it may not always be easy for countries to initially meet the Convention's requirements for all sectors and forms of work or employment, the Convention features several clauses allowing flexibility: countries may, for example, initially exclude limited categories such as subsistence agriculture or family undertakings.

[8] ILO Convention No. 182, article 2.

the Convention on the Rights of the Child. The Convention, as noted above, stipulates that the worst forms of child labour comprise:

(a) All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;

(b) The use, procuring or offering of a child for prostitution, for the production of pornography or pornographic performances;

(c) The use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;

(d) Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.[9]

17. The Convention provides significant detail concerning the policy and operational aspects of the fight against child labour. It requires ratifying States to design and implement programmes of action to eliminate the worst forms of child labour as a priority[10] and establish or designate appropriate mechanisms for monitoring implementation of the Convention.[11] It also calls for time-bound measures for prevention; to provide support for the removal of children from the worst forms of child labour and their rehabilitation; to ensure access to free basic education or vocational training for all children removed from the worst forms of child labour; to identify children at special risk; and to take account of the special situation of girls.[12] The Convention also calls for international cooperation and assistance in efforts to ensure the effective implementation of its provisions, including support for social and economic development, poverty eradication and education.[13]

18. The provisions of the Worst Forms of Child Labour Recommendation No. 190 give, inter alia, useful guidance on identifying the practices constituting "hazardous" work and stress the importance of criminalizing and prosecuting the offences of involving a child in one of the worst forms of child labour. States should as a matter of urgency also provide for other criminal, civil or administrative remedies, where appropriate, such as special supervision of enterprises which have used the worst forms of child labour, and in cases of persistent violation, consideration of temporary or permanent revoking of permits to operate.[14]

19. In addition, ILO bodies supervising the application of international labour standards have already been dealing with child labour in several countries under the ILO Forced Labour Convention, 1930 (No. 29). Regarding the aspect of voluntary consent by the child or his or her parents, the ILO supervisory bodies have further commented that such consent is not valid if the employment is likely to jeopardize

[9] Ibid., article 3.
[10] Ibid., article 6.
[11] Ibid., article 5.
[12] Ibid., article 7.
[13] Ibid., article 8.
[14] Recommendation No. 190, para. 14.

the health, safety or morals of the child whereby it is generally prohibited for persons below the age of 18.[15]

20. By virtue of their wide international support, the two ILO conventions are a key part of the international framework for monitoring the rights of the child. As they are now ratified by the great majority of countries, and require reporting every two years, they are an important mechanism for monitoring the compliance and progress of member States and complement the Convention on the Rights of the Child.

Holistic approach of the Convention on the Rights of the Child to child labour and related issues

21. The Convention on the Rights of the Child addresses issues related to the economic exploitation of children, the use of children in the illicit production and trafficking of narcotic drugs and psychotropic substances, all forms of sexual exploitation and sexual abuse, the sale and traffic in children for any purpose or in any form, as well as all other forms of exploitation prejudicial to any aspects of the child's welfare (articles 32-36). The two Optional Protocols address in detail the issues of the involvement of children in armed conflict, and the sale of children, child prostitution and child pornography. The Optional Protocols offer concrete definitions and describe in more detail the obligations of ratifying States. In particular, the Optional Protocol on the sale of children, child prostitution and child pornography centres on the criminalization of practices prohibited therein, along with the establishment of jurisdiction, liability and appropriate penalties. This framework has allowed the Committee on the Rights of the Child to link practices related to child labour to other violations of the rights of the child and to recommend a more holistic, child-centred, rights-based approach to eliminating child labour and its root causes.

22. At its fourth session, in 1993, the Committee devoted its second day of general discussion to the issue of the economic exploitation of children, described as "a complex reality which, while underlying the vulnerability of children, openly emphasizes the holistic nature of their rights and the urgency of the implementation of those same rights".[16] As a result of this discussion, the Committee adopted a set of recommendations, underscoring the indivisibility and interrelatedness of all rights and their bearing on the human dignity of the child, the relevance of the Convention's general measures of application in situations of economic exploitation of children, as well as the importance of both prevention in terms of child protection, and the physical and psychological recovery and social reintegration of children victims. The Committee recommended, in particular, that States parties establish a national mechanism for coordinating policies and monitoring the Convention's implementation with responsibilities in the area of protection from economic exploitation; launch information campaigns addressed to children in particular and the public at large; and encourage the participation of children in school and social life. The Committee has since consistently addressed child labour

[15] Report III (Part 1B), General Survey concerning the Forced Labour Convention, 1930 (No. 29) and the Abolition of Forced Labour Convention, 1957 (No. 105).

[16] CRC/C/20, annex V, Opening statements, Statement by Mrs. Marta Santos Pais.

and related issues in its General Comments interpreting the Convention, as well as its periodic reviewing of State party reports on its implementation.

23. The supervisory system of ILO child labour standards is in practice linked to the United Nations system of monitoring the Convention on the Rights of the Child. Information flows between the two systems in both ways. Outstanding comments of the ILO supervisory organs, as well as ILO activities on child labour in the country and other practical information, help the Committee on the Rights of the Child to examine the issues of child labour in detail when reviewing State party compliance. Likewise, information supplied by governments under the Convention on the Rights of the Child in their reports has been highly useful for the ILO, especially concerning the practice of child labour or economic exploitation, but also as regards other aspects such as the definition of the child, education, sexual or other types of child exploitation and abuse. Both the Committee and the ILO Committee of Experts on the Application of Conventions and Recommendations frequently refer to each other's comments.

Child labour: current worldwide situation and international commitments and progress

24. The ILO Global Report of 2006 on child labour[17] indicated that the number of children involved in child labour globally fell by 11 per cent over the period 2000-2004, 28 million fewer than 2000. This translates into a decline in child labour worldwide from 246 million children to 218 million children. The sharpest decrease was in the area of hazardous work by children, where there was a 26 per cent reduction overall. There was an even steeper decrease of 33 per cent in respect of children aged 5-14 at risk in hazardous work. Much of this decline was achieved by countries in Latin America that invested heavily in strengthening education and in addressing poverty through enhanced social safety nets and services. They also paid attention to the rights and direct needs of children involved in labour, and targeted them for removal from child labour and for inclusion in recovery and reintegration programmes. Among others, social services were provided through targeted cash incentives, which proved effective at both household and national levels.

25. Almost 7 out of 10 children are estimated to be working in the agricultural sector; whereas 22 per cent work in services and 9 per cent in industry, including mining, construction and manufacturing. In 2010, the ILO will release a new global report and new global estimates on child labour. Since the estimates will be based on data from 2008, before the current global and financial crisis deepened, it will be possible to see if the above-mentioned declining trend of child labour has been maintained.

26. The remarkable decline in child labour is not evenly spread among the continents. Latin America and the Caribbean stood out in terms of a rapid decline of child labour. The number of children involved in child labour in the region had fallen by two thirds over the period 2000-2004, with just 5 per cent of children ages 5-14 still engaged in such unlawful activities. In the Asian-Pacific region,

[17] ILO, *The end of child labour — Within reach*, Global Report under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, Report to the International Labour Conference, 95th Session, 2006, Report I(B).

122 million children ages 5-14 are engaged in child labour. Less than 20 per cent of Asian children in that age group work. In industrialized countries, about 2.5 million children under the age of 15 were estimated to be in child labour in 2000.

27. With 26 per cent, or close to 50 million children, the proportion of children engaged in economic activities in sub-Saharan Africa is currently the highest of any region in the world. This is largely a result of increasing populations and, more particularly, the impact of HIV/AIDS. The epidemic propels children into work too early because of economic necessity, placing children at risk and depriving them of education and care, increases social exclusion and stigmatization and can lead them to work, which renders them increasingly vulnerable to acquiring HIV/AIDS themselves. By 2010 sub-Saharan Africa's total labour force is expected to have decreased by 9 per cent owing to HIV/AIDS, and by more than 20 per cent in the worst affected countries.[18] Given that 70 to 90 per cent of the workforce in many African countries is in agriculture, there are clear implications for the use of child labour, particularly in the context of the current food crisis. The absence of functioning health systems in rural areas, particularly with regard to accessible antiretroviral treatment, could further increase child labour rates.

28. A number of international commitments are directly or indirectly linked to the struggle against child labour, including notably the Millennium Development Goals, setting out time-bound commitments by States. Goal 2 of universal primary education is one of the fundamental commitments of the international community for success in the elimination of child labour.[19] The provision of basic universal education of good quality for all children and the completion of primary schooling up to the minimum age for admission to employment or work is the main idea underpinning Convention No. 138. Attendance at school removes children, in part at least, from the labour market. The skills acquired at school may lead directly to the sort of gainful employment that will help children rise above the poverty into which they were born. Furthermore, when children who have had the benefits of an education — particularly girls — grow up, they are more likely to choose education for their own children, thus helping to reduce the future ranks of child labourers. Education is also an important instrument for preventing children from falling victim to the worst forms of child labour or for removing and rehabilitating those that have.

29. The Millennium Development Goal of universal primary education cannot be realized as long as hundreds of millions of children are involved in child labour. The Global Task Force on Child Labour and Education for All, which brings together ILO, the United Nations Educational, Scientific and Cultural Organization (UNESCO), UNICEF, the World Bank, the United Nations Development Programme (UNDP), Education International, the Global March against Child Labour, and the Governments of Brazil and Norway, has as its main role the mainstreaming of child labour concerns into education policies and planning. The secretariat for the Task

[18] Economic Commission for Africa and ILO-AIDS, Labour supply threatened by HIV/AIDS, ECA Press Release 28/2004.

[19] The elimination of child labour is also clearly linked to poverty reduction (MDG 1). Child labour also has a gender equality dimension (MDG 3) in view of the discriminatory practices that deprive many girls of appropriate education and add to their burdens through excessive household chores. Combating HIV/AIDS (MDG 6) also bears on child labour, since AIDS orphans are among the children most at risk, as does the development of a global partnership for development (MDG 8), including the promotion of decent work for youth.

Force is provided by ILO, as the lead agency for technical cooperation against child labour.

30. ILO member States aim at eliminating the worst forms of child labour by the year 2016, as set out in the Global Action Plan contained in the ILO Global Report of 2006 on child labour. The Action Plan calls for the adoption of time-bound targets to meet the goal of eliminating the worst forms of child labour by 2016, and eventually all its forms. The 2016 objective parallels and contributes to the two Millennium Development Goals on education and poverty and is an ambitious but achievable goal. The resources to end the worst forms of child labour and, indeed, all child labour are there.

31. Ultimately, the achievement of the 2016 objective requires the political commitment of governments to stay focused in their efforts. The forthcoming Global Report on Child Labour, due for release in 2010, will take stock of progress achieved towards the target. Moreover, the Government of the Netherlands will, in May 2010, host a global conference on child labour organized together with ILO. One important aim of the conference will be to map the way forward to help countries to achieve the goal of 2016.

Impact of the global economic and financial crisis on child labour: achievements at stake

32. The world faces a deep financial and economic crisis, which threatens the progress achieved in the last years and frustrates countries' efforts to eliminate child labour. The global crisis has far-reaching consequences for the developing world and threatens to push more children into the workforce, while girls are the first to be withdrawn from school in times of economic hardship.[20] The erosion of progress made in the fight against child labour needs to be urgently prevented. More households are being pushed into poverty — extreme poverty could increase by 6 per cent, or 200 million people. Shifts to rural and informal employment are already taking place, providing fertile ground for child labour. Almost 40 per cent of developing countries are highly exposed to the poverty effects of the crisis, compounding the already high levels of pre-crisis poverty.

33. Among the policy responses required must be the re-prioritization of existing public spending patterns to ensure delivery of core services to vulnerable households ("social stimulus" measures). Also crucial is the enhanced mainstreaming of the elimination of child labour in the work programmes of labour ministries and ensuring their coordinating role with other relevant parts of Government. The collection of accurate data and information and the role of the social partners and social dialogue are important to help governments fashion the right responses. Furthermore, in the face of adverse economic conditions, the pursuit of national plans of action and time-bound measures becomes even more important, as is staying on track with achieving the Millennium Development Goal of universal primary education. In other words, the only viable answer to the threats this global crisis poses to child labour is to strengthen social protection, and to make sure that social and educational services are provided to the most vulnerable.

[20] See the statement by Ms. Navanethem Pillay, United Nations High Commissioner for Human Rights, at the Conference on the World Financial and Economic Crisis and Its Impact on Development in June 2009.

International and national actors against child labour

34. In the second half of the 1990s, the international profile of child labour attained unprecedented levels. Today, a number of international agencies, such as ILO, UNICEF, UNESCO, the World Health Organization (WHO), UNDP, the World Bank and the regional development banks, influence the normative, policy and financial environment. Among them, ILO, UNICEF and the World Bank are the most important providers of technical assistance to specifically address child labour, ILO having the largest technical cooperation programme on child labour in the United Nations system (IPEC).

35. The responsibility to eliminate child labour lies first and foremost with States. However, they face a big task — which for each country has its own specific challenges and solutions — and the support of other stakeholders is very important. Thanks to an enhanced focus on child labour in technical cooperation, national governments across the world have shown much greater commitment to fighting child labour in the last decade. Key donor countries and multilateral agencies provide resources and political support to the work of the specialized agencies. Collaboration with employers' and workers' organizations remains an essential element in action against child labour. A key point is to take advantage of their positions in influencing policy development and reform within the sphere of key socio-economic areas, such as employment, trade, social welfare and education. Moreover, private sector actors, particularly transnational enterprises, perceive child labour as a real risk in their increasingly complex supply chains. Their current efforts to work with the United Nations, UNICEF and ILO to address child labour are a key opportunity for change. Much of the innovation and dynamism in fighting child labour comes from civil society actors at both the national and international levels. The worldwide movement further includes the mass media and the academic community, which increasingly spend time on the issue of child labour. It is important that efforts continue to make the movement more coherent so as to help countries to make the right policy and operational choices to fight child labour.

Key strategies in tackling child labour

36. *Education*. According to the UNESCO Education For All Global Monitoring Report of 2009, entitled "Overcoming Inequality: why governance matters", around 75 million children, of which 55 per cent are girls, are not in school, and almost half of them are in sub-Saharan Africa. Many more children are enrolled in school but do not attend regularly, particularly in rural areas. Projections for 134 countries, accounting for some two thirds of out-of-school children in 2006, suggest that 29 million children will be out of school in 2015 in those countries alone. School attendance figures provide stark evidence of the trade-off between child labour and universal primary education. There is also a correlation between child labour and delayed school entry. According to UNESCO, the causality relationship, however, varies among and within countries. When schools are unavailable or distant, when the cost of schooling is high and the perceived quality low, disincentives to send children to school may push them into work. In other cases, household poverty and associated labour demands "pull" children into labour markets: that is, they are not in school because they are working. Consequently, efforts to combat child labour

should invariably target the achievement of universal primary education, the raising of the quality of education, as well as poverty eradication.

37. In the 2009 Global Monitoring Report, UNESCO recommended setting ambitious long-term goals supported by realistic planning and sufficient medium- to long-term budgetary allocations to ensure progress in access, participation and completion in primary education. Ensuring non-discrimination in accessing education is key to achieving the Millennium Development Goal of universal primary education. Special attention must be given to ensuring equitable access to education for girls, disadvantaged groups and to remote regions by setting clear targets for reducing disparities, backed by practical strategies for achieving more equitable outcomes.

38. Increasing the quality of education as a way to attract and keep children in school is a recognized tool in the prevention and elimination of child labour. The quality should be raised — while expanding access — by focusing on retention and completion rates and reducing school drop-out through school and better learning outcomes, increasing textbook supply and quality, strengthening teacher training and support, and ensuring that class sizes are conducive to learning. In the case of former child labourers, "second-chance" educational programmes to allow for their smooth transition in school or vocational training have proved to be a crucially important response to their particular needs. Organizing literacy and adult education programmes for parents are particularly effective in reinforcing the role of families.

39. *Strengthening social protection.* While the current global economic crisis has reinforced the urgency of adequate social protection for the most vulnerable, experience has shown that those countries that have invested the most in social protection and in education have made the greatest progress towards the elimination of child labour. Strong child protection provides a defence against the risks and vulnerabilities underlying many forms of harm and abuse, including sexual abuse and exploitation; trafficking; child labour; violence; living or working on the streets; and the impact of armed conflict, including the use of children by armed forces and groups. Social protection, by supporting the development of a safe and nourishing family environment and by supporting parents in fulfilling their responsibilities, provides a key buffer against shocks and pre-empts children from entering into child labour in the first place. Yet, some 80 per cent of the global population has insufficient access to social protection measures. Particular emphasis should be given to measures at the household level to combat child labour, for example, via conditional/non-conditional cash transfers programmes, access to credit, social insurance schemes, pensions, and fee waivers that enable orphans and vulnerable children to access and take up educational and health services. Of guidance should be the UNICEF 2008 Child Protection Strategy, which aims to reduce children's exposure to harm by accelerating actions that strengthen the protective environment for children in all settings.[21]

40. *Data collection.* Empirical evidence on child labour and the analysis of its links to other aspects of development are crucial in developing effective and targeted responses to child labour, and in integrating child labour in policy formulation. Indeed, ILO Convention No. 182 and its accompanying Recommendation No. 190 require appropriate mechanisms to monitor

[21] E/ICEF/2008/5/Rev.1, para. 6.

implementation,[22] emphasizing the importance of data and information on child labour. With the adoption of the resolution concerning Statistics of Child Labour on 5 December 2008 by the 18th International Conference of Labour Statisticians, child labour is now a globally recognized part of core labour statistics.[23] The resolution sets in place agreed international standards for the statistical measurement of child labour, and is expected to facilitate the comparison of child labour data across countries and over time, as well as global child labour estimates and trends. The inclusion for the first time of "household chores" within the new statistical definition of child labour is a key step forward in the capturing and analysis of girls' child labour, which previously was covered only partially in statistical definitions and surveys. The double burden of girls — economic and non-economic work within the household — is one of the key causes contributing to girls' lack of access to and non-completion of education. The new definition of child labour will support the development of comprehensive policy frameworks concerning child labour.

41. *Knowledge sharing*. A large body of knowledge has been accumulated over some two decades of action against child labour. It is important to ensure that countries can access resources and technical knowledge, and learn from good practices. Knowledge sharing goes to the very heart of technical cooperation to assist member States with implementation of international child labour standards. The ILO's IPEC Programme is a centre of knowledge and know-how on eliminating child labour and plays a facilitating role. One important recent initiative to assist knowledge sharing was the launch of the South-South Initiative to Combat Child Labour on 14 December 2007 in Brasilia, which aims at enabling countries in the South to assist each other in the development of effective measures against child labour.

42. *Advocacy and public awareness-raising*. Changing public attitudes to child labour is important because a public consensus about the unacceptability of child labour contributes to a climate conducive to the elimination of child labour. At the global level, the World Day against Child Labour has been held on 12 June each year since 2002. It is an opportunity to generate global media and public attention to child labour, while also helping to build national partnerships for action. The World Day is being observed by a growing number of countries across the world, and has proved to be a useful tool to raise public awareness about specific themes, such as girls in child labour, education, child labour in mining and child domestic labour. Another tool that has proven its effectiveness is the programme "Supporting Children's Rights through Education, the Arts and the Media" (SCREAM), launched by ILO in 2002, which offers a methodology which can be used to promote human rights education in schools.

43. *Addressing the root causes of child labour*. While poverty and shortcomings in education are considered the principle cause of child labour, no single factor can fully explain the persistence of child labour. Public indifference, discrimination on various grounds — including gender-based discrimination — as well as social exclusion, the impact of the HIV/AIDS pandemic on children, violence against children, and the consequences of increased migration and mobility contribute to the enhanced vulnerability of children to child labour. Effective interventions against

[22] ILO Convention No. 182, article 5.

[23] ILO, Report of the Conference (ICLS/18/2008/IV), 18th International Conference of Labour Statisticians, Geneva, December 2008.

child labour must be sensitive to these factors in order to ensure that every child can be reached.

The ways forward

44. The last two decades have provided much of the knowledge about what it takes to end child labour. Eliminating child labour is no longer a question of "how?" but of "when?", since despite advances in standard setting and know-how, progress towards eliminating child labour is still very slow. Moreover, there remain important policy, programming and data gaps in a number of important areas, most notably child labour in agriculture, forced and bonded labour, child domestic labour, child soldiers, and the use of children in illicit activities. National governments and international actors should strengthen efforts to fulfil commitments for international cooperation and assistance, in order to attain the targets set for the elimination of child labour by 2016. States are in particular encouraged to:

(a) **Ratify the Convention on the Rights of the Child and its Optional Protocols on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography, the ILO Minimum Age Convention, 1973 (No. 138) and the Worst Forms of Child Labour Convention, 1999 (No. 182), as well as other relevant international and regional treaties;**

(b) **Cooperate with and support the efforts of the Global Task Force on Child Labour and Education for All;**

(c) **Increase efforts to achieve all the Millennium Development Goals, including commitments agreed upon during the High-level Event on the Millennium Development Goals held on 25 September 2008. Particular focus should be given to Goal 2 on achieving universal primary education in order to strengthen education systems and the provision of free basic education of good quality up to the minimum age for admission to employment or work. National development frameworks should focus on strengthening the provision of social protection of children and social services to the most vulnerable children and their families, to enable them to access and take up educational and health services;**

(d) **Consider ways to mitigate the impact of the world financial and economic crisis, in order to achieve the goal of eliminating the worst forms of child labour by 2016, during the general debate at the sixty-fourth session of the General Assembly;**

(e) **Maintain child labour high on the political agenda, including mainstreaming child labour concerns and education in national development frameworks, poverty reduction strategies and international technical cooperation. National development frameworks should focus on strengthening the provision of social protection of children and social services to the most vulnerable children and their families, to enable them to access and take up educational and health services;**

(f) **Provide support to initiatives in the area of technical cooperation aimed at eliminating child labour, and use the World Day against Child Labour to focus public attention on child labour and raise awareness about specific child labour issues.**